

§ 701.1

- 701.112 “Blanket routine uses.”
- 701.113 PA exemptions.
- 701.114 PA enforcement actions.
- 701.115 Protected personal information (PPI).
- 701.116 PA systems of records notices overview.
- 701.117 Changes to PA systems of records.
- 701.118 Privacy, IT, and PIAs.
- 701.119 Privacy and the web.
- 701.120 Processing requests that cite or imply PA, Freedom of Information (FOIA), or PA/FOIA.
- 701.121 Processing “routine use” disclosures.
- 701.122 Medical records.
- 701.123 PA fees.
- 701.124 PA self assessments/inspections.
- 701.125 Computer matching program.

Subpart G—Privacy Act Exemptions

- 701.126 Purpose.
- 701.127 Exemption for classified records.
- 701.128 Exemptions for specific Navy record systems.
- 701.129 Exemptions for specific Marine Corps record systems.

AUTHORITY: 5 U.S.C. 552.

SOURCE: 64 FR 49850, Sept. 14, 1999, unless otherwise noted.

Subpart A—Department of the Navy Freedom of Information Act (FOIA) Program

§ 701.1 Purpose.

Subparts A, B, C, and D of this part issue policies and procedures for implementing the Freedom of Information Act (5 U.S.C. 552), and Department of Defense Directives 5400.7 and 5400.7-R series¹, Department of Defense Freedom of Information Act Program, (See 32 CFR part 286) and promote uniformity in the Department of the Navy Freedom of Information Act (FOIA) Program.

§ 701.2 Navy FOIA website/FOIA handbook.

(a) The Navy FOIA website (<http://www.ogc.secnav.hq.navy.mil/foia/index.html>) is an excellent resource for requesters and FOIA coordinators. It provides connectivity to the Navy’s official website, to other FOIA and non/

32 CFR Ch. VI (7–1–12 Edition)

FOIA websites, and to the Navy’s electronic reading rooms.

(b) FOIA requesters are encouraged to visit the Navy FOIA website prior to filing a request. It features a FOIA Handbook which provides: guidance on how and where to submit requests; what’s releasable/what’s not; addresses for frequently requested information; time limits and addresses for filing appeals, etc. FOIA requesters may also use the electronic FOIA request form on the website to seek access to records originated by the Secretary of the Navy (SECNAV) or the Chief of Naval Operations (CNO).

§ 701.3 Applicability.

(a) Subparts A, B, C, and D of this part apply throughout the Department of the Navy (DON) and take precedence over other DON instructions, which may serve to supplement it [*i.e.*, Public Affairs Regulations, Security Classification Regulations, Navy Regulations, Marine Corps Orders, etc.]. Further, issuance of supplementary instructions by DON activities, deemed essential to the accommodation of perceived requirements peculiar to those activities, may not conflict.

(b) The FOIA applies to “records” maintained by “agencies” within the Executive Branch of the Federal government, including the Executive Office of the President and independent regulatory agencies. It states that “any person” (U.S. citizen; foreigner, whether living inside or outside the United States; partnerships; corporations; associations; and foreign and domestic governments) has the right enforceable by law, to access Federal agency records, except to the extent that such records (or portions thereof) are protected from disclosure by one or more of the nine FOIA exemptions or one of three special law enforcement exclusions.

(c) Neither Federal agencies nor fugitives from justice may use the FOIA to access agency records.

(d) The Department of Defense (DoD) FOIA directive states that the FOIA programs of the U.S. Atlantic Command and the U.S. Pacific Command

¹Copies may be obtained if needed from the Navy FOIA Website at <http://www.ogc.secnav.hq.navy.mil/foia/index.html>